

Rakoff, J

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: EPHEDRA PRODUCTS  
LIABILITY LITIGATION**

**04 MDL 1598 (JSR)**

**IN RE: MUSCLETECH RESEARCH AND  
DEVELOPMENT, INC., et al.,**

**06 Civ. 538 (JSR)**

Foreign Applicants in Foreign Proceedings.

**IN RE: RSM RICHTER, INC., as Foreign  
Representative of MuscleTech Research and  
Development, Inc. and its subsidiaries,**

Plaintiffs,

v.

**SHARON AGUILAR**, an individual, et al.,

Defendants.

**PERTAINS TO THE FOLLOWING CASE:**

McLaughlin v. MuscleTech Research &  
Development, Inc., et al.

No. 1:07-cv-02816

**06 Civ. 539 (JSR)**

**STIPULATION OF DISMISSAL  
WITH PREJUDICE OF THE  
PLAINTIFF'S COMPLAINT  
AGAINST THE DEFENDANTS**

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6-7-07

**IT IS HEREBY STIPULATED AND AGREED** by and among the Parties, through their respective counsel, that the above-captioned matter, having been amicably settled between the Parties, be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) with prejudice and with each Party to bear its own costs and attorneys' fees.

Based upon the agreement of the parties as set forth above:

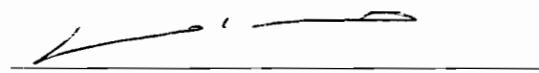
**IT IS HEREBY ORDERED** that all claims of the Plaintiff, Timothy A. McLaughlin, individually and as Special Administrator of the Estate of Laurie McLaughlin, deceased, against

the Defendants, MuscleTech Research and Development, Inc., General Nutrition Corporation, GNC Franchising, Inc., HVL, Inc., and E & L Associates, Inc. d/b/a GNC, are hereby  
**DISMISSED, WITH PREJUDICE.**

**STIPULATED AND AGREED TO BY:**

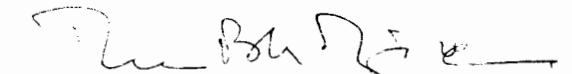
**BERNARD R. NEVORAL & ASSOCIATES**

Dated: 5/11, 2007

  
Bernard R. Nevoral, Esquire  
Counsel for the Plaintiff, Timothy A. McLaughlin,  
individually and as Special Administrator of the  
Estate of Laurie McLaughlin, deceased

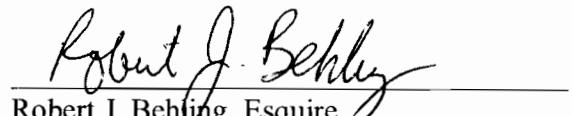
**DUANE MORRIS LLP**

Dated: 5/14, 2007

  
Thomas B.K. Ringe, III, Esquire  
Counsel for Defendant MuscleTech Research and  
Development, Inc.

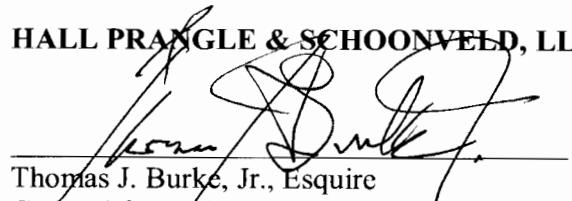
**DAPPER BALDASARE BENSON BEHLING &  
KANE, PC**

Dated: 5/8, 2007

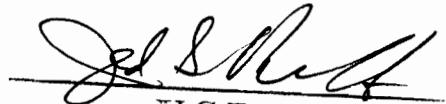
  
Robert J. Behling, Esquire  
Counsel for Defendant HVL, Inc.

**HALL PRANGLE & SCHOONVELD, LLC**

Dated: 5/1, 2007

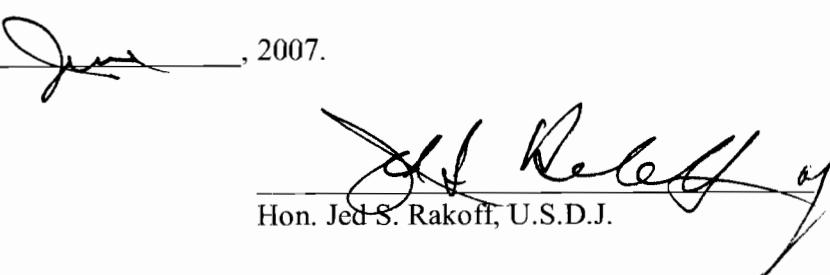
  
Thomas J. Burke, Jr., Esquire  
Counsel for Defendants General Nutrition  
Corporation, GNC Franchising, Inc., and E & L  
Associates, Inc. d/b/a GNC

**SO ORDERED:**

  
J. Steven Huff  
U.S.D.J. 6-6-07

**SO ORDERED**

This 6<sup>th</sup> day of June, 2007.

  
Hon. Jed S. Rakoff, U.S.D.J.